

Remarks

Applicant has amended Claims 1, 4-5, 11, 14, 19, 24, 28, 32, 37 and 44-45. Applicant has cancelled Claims 3, 23, 30-31 and 38-43. No new matter was added by the amendment, as all of the amended matter was either previously illustrated or described in the drawings, written specification and/or claims of the present application.

Claim 1

Applicant has amended claim 1 to include the limitation of claim 3, which the Examiner objected to but stated would be allowable. Accordingly, Applicant submits that claim 1 is in condition for allowance per the Examiner's comments.

Claim 5

Applicant has amended claim 5 to include the limitation of claim 1, which the Examiner objected to but stated would be allowable. Accordingly, Applicant submits that claim 5 is in condition for allowance per the Examiner's comments.

Claim 11

Applicant has amended claim 11 to include the limitation of claim 1, which the Examiner objected to but stated would be allowable. Accordingly, Applicant submits that claim 11 is in condition for allowance per the Examiner's comments.

Claim 19

Applicant has amended claim 19 to include the limitation of claim 23, which the Examiner objected to but stated would be allowable. Accordingly, Applicant submits that claim 19 is in condition for allowance per the Examiner's comments.

Claim 37

Applicant has amended claim 37 to include the limitations of claims 38-40, which the Examiner objected to but stated would be allowable. Accordingly, Applicant submits that claim 37 is in condition for allowance per the Examiner's comments.

Claim 14

Applicant has amended claim 14 to include, among other limitations, “aligning the locking mechanism with one of a plurality of locking holes provided in a base portion of the snowboard binding interface with an alignment device provided in the snowboard binding interface, the alignment device providing an indication to a user when the locking mechanism is substantially aligned with one of the plurality of locking holes while the locking mechanism is disengaged, the alignment device providing a biasing alignment force such that the alignment of the locking mechanism with one of the plurality of locking holes is maintained prior to engaging the locking mechanism.”

The Examiner has submitted that U.S. Patent No. 5,803,481 (Eaton et al.) teaches that “the force of the spring biasing the locking pin into the neck of the locking holes shown by Eaton indeed act as an alignment device that provides “an indication to a user” that the locking pin is aligned with one of the locking holes.” (Official Action, 1/11/07, p. 10.) Accordingly, Applicant has clarified claim 14 to read that “the alignment device providing an indication . . . while the locking mechanism is disengaged” and that “the alignment device providing a biasing alignment force such that the alignment of the locking mechanism with one of the plurality of locking holes is maintained prior to engaging the locking mechanism.” Based on the Examiner’s comments, the “alignment device” disclosed in Eaton is one and the same as the “locking mechanism”, therefore, if the locking mechanism in Eaton is not actually engaged (e.g. engagement of “the locking pin into the neck of the locking holes”), there can be no “indication to a user when the locking mechanism is substantially aligned with one of the plurality of locking holes” as recited in claim 14. Accordingly, Applicant respectfully submits that Eaton cannot anticipate claim 14.

In addition, Eaton does not render claim 14 obvious as there is no provision in Eaton to provide any type of alignment “indication” to a user when the locking mechanism is disengaged nor is there any type of biasing alignment force exerted by the alignment device prior to engaging the locking mechanism as recited by claim 14.

Rather, the Examiner has merely pointed to the actual locking mechanism in Eaton as disclosing an alignment device, however, there is no teaching in Eaton to modify the locking mechanism according to claim 14, and as such, Eaton cannot render claim 14 obvious. See, e.g., MPEP 2143.01; *In re Mills*, 916 F.2d 680, 682, 16 USPQ2d 1430, 1432 (Fed. Cir. 1990) (fact that prior art "may be capable of being modified to run the way the apparatus is claimed, there must be some suggestion or motivation in the reference to do so."). Accordingly, Applicant respectfully submits that claim 14 is not obvious in view of Eaton and is in condition for allowance

Claim 28

Applicant has amended claim 28 to include, among other limitations that "the stationary annular retaining ring has a lip that engages with an outer edge of the binding plate." This limitation was previously contained in claim 3, which the Examiner indicated would be allowable. Accordingly, Applicant has included that limitation into claim 28. Applicant respectfully submits that none of the cited prior art teaches, discloses or suggests this limitation, and as such, no combination thereof can render claim 28 obvious.

It is respectfully submitted that claims 1-5, 7-9, 12-19, 23-33, 35 and 37-47, all of the claims remaining in the application, are in order for allowance and early notice to that effect is respectfully requested.

Respectfully submitted,

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